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**Committee on Economic, Social and Cultural Rights**
**Fifty-eighth session**

**Summary record of the 36th meeting**
Held at the Palais des Nations, Geneva, on Wednesday, 15 June 2016, at 3 p.m.

*Chair*: Mr. Sadi

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Consideration of reports of States parties (*continued*)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

*Sixth periodic report of the United Kingdom*

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*The meeting was called to order at 3 p.m.*

**Consideration of reports of States parties** (*continued*)

**(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant** (*continued*)

*Sixth periodic report of the United Kingdom* (E/C.12/GBR/6; E/C.12/GBR/Q/6; E/C.12/GBR/Q/6/Add.1)

1. *At the invitation of the Chair, the delegation of the United Kingdom took places at the Committee table.*

2. **Mr. McPherson** (United Kingdom) said that the United Kingdom was committed to the advancement of human rights, fully supported the work of the United Nations human rights mechanisms, including the treaty bodies, and had formally launched its campaign for re-election to the Human Rights Council. The country had strong and vigorous civil society organizations, and they were prepared to hold the Government to account. The United Kingdom took the approach of progressive realization of economic, social and cultural rights and, although it tended not to incorporate international obligations such as those enshrined in the Covenant into the domestic legal order, the delegation was confident that the existing legal and policy framework fulfilled its obligations regarding economic, social and cultural rights. Public authorities in the United Kingdom had a range of legally enforceable duties in areas such as health, education and equality, and their decisions relating to the enjoyment of economic, social and cultural rights could be challenged by various mechanisms.

3. Responsibility for the implementation of the Covenant was shared among a number of government departments and administrations. The United Kingdom was a multinational country in which the Governments of Northern Ireland, Scotland and Wales had legislative responsibility for major areas of public policy, including health, education, housing and, in Northern Ireland and Scotland, justice. The Government of the United Kingdom had responsibility for England and, in certain other areas, including immigration, for the entirety of the United Kingdom. The delegation regretted that it had not been possible to respond to the Committee's questions concerning Northern Ireland and that a representative from that nation was not in attendance at the meeting. The Crown dependencies and overseas territories were not part of the United Kingdom, but it represented them at the United Nations. The Covenant had been extended to the three Crown dependencies and nine of the overseas territories.

4. **Mr. Schrijver** (Country Rapporteur) said that the Committee was grateful to the State party for the timely submission of useful documentation on its implementation of the Covenant and would also like to acknowledge the input of civil society organizations and national human rights institutions from the United Kingdom. The Committee had been informed that the Scottish Government planned to improve the incorporation of economic, social and cultural rights in line with Scotland's *National Action Plan for Human Rights*, that human rights enjoyed a special status in Northern Ireland as part of the Belfast Agreement, also known as the Good Friday Agreement, and that the Government of the United Kingdom intended to replace the 1998 Human Rights Act with a proposed British Bill of Rights. At the same time, reports had been received of the need to strengthen the protection of economic, social and cultural rights in some of the overseas territories and Crown dependencies. The Committee would appreciate some clarification of the situation. While considerable discretion could be exercised in the application of the Covenant across the four constituent nations of the United Kingdom, the Crown dependencies and the overseas territories, there could be only one State party and it alone bore ultimate responsibility for the implementation of the Covenant. The Committee would appreciate an

explanation of the rationale behind the Government's intention to replace the Human Rights Act by a British Bill of Rights, a prediction of its likely impact on the status, application and full enjoyment of economic, social and cultural rights, and confirmation that the change would not be regressive in character. Would the repeal of the Human Rights Act not jeopardize the Good Friday Agreement? The State party was to be congratulated for meeting the target of spending 0.7 per cent of gross national income on official development assistance. It would be helpful to know to what extent the State party's overseas development work was guided by a human rights approach and in particular the objective of promoting economic, social and cultural rights in developing countries. In its replies to the list of issues, the State party had informed the Committee that it would reflect on the recommendations made in the 2015 report published by the Equality and Human Rights Commission. Could the delegation now provide an update on its progress in respect of the full implementation of the 2010 Equality Act?

5. The Committee would like to know the extent to which migrants, asylum seekers and undocumented persons were entitled to a minimum level of protection for their economic, social and cultural rights in the form of overnight accommodation, food, access to health care and education for children. Information was needed on the measures taken to ensure that, once admitted, refugees and stateless persons were able to integrate effectively. Were they entitled to work and, if so, how many were working? The Committee noted with concern the significant and often cumulative impact of austerity measures on social security, access to justice, education and health care, which was felt most keenly by vulnerable and marginalized groups, including women, children, persons with disabilities, ethnic minorities and migrants. Recent data suggested that austerity measures had increased inequality. The Committee would like confirmation that, in line with the former Chair's letter on the severe impact of austerity measures on the enjoyment of economic, social and cultural rights, retrogressive measures would not be taken. The Committee would also like to know whether the State party was considering ratifying the Optional Protocol to the Covenant in order to provide individuals with a further means of redress and strengthen the protection of human rights at the global level.

6. **Mr. De Schutter** said that, in the light of the State party's duty under article 2 (1) of the Covenant to dedicate the maximum of its available resources to realize the rights enshrined therein, the Committee was concerned by some of the Government's recent budgetary decisions. While it was reducing the rates of corporate and inheritance tax, for example, it was, as exemplified by the introduction in 2016 of the Welfare Reform and Work Act, also expanding the application of austerity measures, which disproportionately affected the poorest families. What was the justification for those decisions? According to a report published jointly by the World Bank and the United Nations Office on Drugs and Crime in 2011, economic and political elites often hid money in the overseas territories of the United Kingdom, in particular the Cayman Islands and the British Virgin Islands. Although the State party had done much to increase the transparency of the global financial system, by, for example, introducing the 2015 Small Business, Enterprise and Employment Act and pledging to do more to combat tax evasion, the agreements reached between the Government and the overseas territories were nevertheless rather weak. Since the Cayman Islands and the British Virgin Islands fell under the jurisdiction of the United Kingdom, the Committee was surprised that more could not be done by the State party to combat financial crime. What were the Government's plans for addressing the problem, what obstacles did it face in that regard, and what further demands could be made of the overseas territories?

7. **Mr. Uprimny**, noting the lack of any response in the State party's replies to the list of issues to the questions concerning the application of the Covenant in Northern Ireland, said he would like to know how the State party ensured that economic, social and cultural rights were fully enjoyed in all the territories that it, as the State party, represented under the Covenant, irrespective of the complexities of its constitutional structure?

8. **Ms. Shin**, noting the updated common core document, said that, regarding gender inequality, more complete statistical information disaggregated by sex and ethnic background should be provided in the future. It had not, for instance, provided information on projects to increase the participation of women in decision-making positions in the public sector or the judiciary. The gender pay gap was still significant, despite a decrease over the previous few years. The Committee would like to know whether the regulations requiring companies with 250 or more employees to disclose how much they paid men and women had come into effect and, if not, when they would. Would they be extended to apply to smaller companies as well? It would also be helpful to know whether a system was being prepared to ensure equal remuneration for work of equal value. The Committee was concerned that the Equality Act recognized only one type of discrimination in any given case. How would it be possible for a woman with disabilities, for instance, to seek redress for multiple types of discrimination simultaneously?

9. **The Chair** said that the concept of progressive realization reflected in article 2 (1) of the Covenant was simply a recognition of the difficulties involved in ensuring full realization of economic, social and cultural rights. Certain rights were nevertheless so fundamental that a progressive approach towards their realization was inappropriate. Although the delegation judged that the State party's existing legal and policy framework fulfilled its obligations under the Covenant, the purpose of the meeting was to enable the Committee to make that judgment.

10. **Ms. Bras Gomes** said that, despite a decrease in the unemployment rate, certain vulnerable groups, including young people, women, persons with disabilities, migrants and ethnic minorities, continued to face difficulties in accessing the labour market, and the wages of workers in the cleaning and home-care sectors, most of whom were women, were low and sometimes not paid in full. What was the Government doing to help such workers? Migrants, who accounted for 16 per cent of all low-skilled employees, were less likely to be aware of their labour rights, including the rights to paid leave and sick pay, and were more likely to work for agencies. Funding for outreach programmes for migrant workers had also been cut. The State party lacked a single mechanism to monitor the enjoyment of the right to just and favourable conditions of work across all sectors and needed more effective measures for migrant workers.

11. While the Committee welcomed the increase in the national minimum wage, it was concerned that it applied only to people over the age of 25 and was insufficient to provide workers and their families with a decent standard of living, especially in the London area. She requested reassurance that the increase was not meant to compensate for the loss of social security benefits for the working poor. She noted that all the Committee's concerns about the national minimum wage applied equally to the national living wage.

12. She invited the delegation to comment on the assertion that one particular area in which conditions had deteriorated since the last interactive dialogue with the State party was the right to social security. It appeared that the cuts introduced in the 2015 budget had been made for political or moral reasons rather than reasons of economic necessity, which implied that they would be permanent; they also had a disproportionate impact on the rights of vulnerable groups. She asked how the State party reconciled the cuts with its obligation to progressively realize the right to social security and whether it could provide evidence that it had exhausted all alternatives before resorting to permanent cuts and four-year freezes.

13. She wished to know whether the Fresh Start agreement and the Welfare Reform Mitigations report in relation to Northern Ireland provided for a robust monitoring mechanism to ensure that the principles of non-retrogression and non-discrimination were applied. Echoing concerns raised by the NGOs with which the Committee had met, she asked what steps the Government was taking to use the public procurement budget to create

jobs and paid apprenticeships for the long-term unemployed and pointed out that revoking last-resort benefits was not in line with the Covenant.

14. **Mr. Martynov** asked what measures were being taken to fight unemployment among the most vulnerable groups and why the jobless rate remained so high despite government efforts. He also asked what requirements the Trade Union Act had introduced for the launching of industrial action. He said that he wished to know whether the recalculated social benefits would provide a decent standard of living, especially to persons with disabilities, women and older persons, and how they compared with living costs.

*The meeting was suspended at 3.50 p.m. and resumed at 4.15 p.m.*

15. **Mr. McPherson** (United Kingdom) said that the Government was not in the habit of legislating on matters that had been transferred to the devolved administrations; therefore, while the devolved administrations were required by law to honour the obligations of the United Kingdom, the Government did not believe it right to force them to contribute to the reporting process.

16. **Mr. Holmes** (United Kingdom) said that *Scotland's National Action Plan for Human Rights* contained a commitment to explore the potential benefits of further incorporating international treaties into the law of Scotland, a commitment reaffirmed by the First Minister at an innovation forum held in December 2015.

17. **Ms. Bridgeman** (United Kingdom) said that the overseas territories took their international obligations very seriously, but that, given their diversity, progress in the realization of economic, social and cultural rights would differ from one to another. Nevertheless, the United Kingdom was fully committed to working in partnership with them to strengthen compliance.

18. **Mr. McPherson** (United Kingdom) said that the Government had re-examined its position on the right of individual petition but remained unclear about its practical benefits, given the existence of a strong legal framework and effective remedies at the domestic level; the very low number of cases brought against the United Kingdom under the optional protocols it was a party to, all of which had been found inadmissible; and the lack of enforceable remedies, even where a violation was found.

19. **Ms. Ede** (United Kingdom) said that the Government would consult fully, including with the devolved administrations, on proposals for a British Bill of Rights to replace the Human Rights Act and that it would be wrong to pre-empt that consultation. However, the Bill of Rights would be faithful to the basic principles and rights enshrined in the European Convention on Human Rights and, by extension, to the Good Friday Agreement. The Government was of the view that the Human Rights Act opened the system up to abuse, damaging the credibility of human rights. The Bill of Rights would prevent abuse and restore an appropriate constitutional balance between the roles of Parliament, the domestic courts and the European Court of Human Rights in protecting human rights.

20. **Ms. Orme** (United Kingdom) said that the Equality Act provided comprehensive protection against direct and indirect discrimination, victimization and harassment. It also required public bodies to focus in particular on eliminating discrimination and advancing equal opportunity. The Government was still reflecting on the recommendations contained in the report of the Equality and Human Rights Commission.

21. **Ms. Stradling** (United Kingdom) said that Scotland had adopted a refugee integration strategy. Regarding support for migrant workers, she said that the Government of the United Kingdom published information on the rights of all workers on its website. Other sources of information, including for specific at-risk groups, such as foreign domestic workers and workers in the fresh produce sector, included the Advisory, Conciliation and Arbitration Service and the Gangmasters Licensing Authority.

22. **Ms. John** (United Kingdom) said that the Government of Wales had published a refugee inclusion strategy in 2008 which promoted the idea that inclusion began from the moment of arrival in the country. The refugee and asylum seeker delivery plan, in whose development a range of stakeholders had been involved, had been adopted in March 2016. The Government of Wales would continue to work with partners across sectors to ensure that the diverse needs of refugees were met.

23. **Mr. McPherson** (United Kingdom) said that the Government had adopted a new strategy on overseas development in November 2015, which was guided by four strategic objectives: strengthening global peace, security and governance; strengthening resilience to crises; promoting global prosperity; and tackling extreme poverty.

24. **Ms. Watkinson** (United Kingdom) said that the Government had published impact assessments in relation to the budget cuts introduced by the Welfare Reform and Work Act on its website in July 2015. It expected the welfare reforms to have a long-term positive impact by helping to get more people into work, providing greater support to people who were unable to work and making work financially attractive. The country continued to have in place a strong safety net, with more than £80 billion spent on working-age benefits annually. Furthermore, the Government continued to spend more on benefits for persons with disabilities — 6 per cent of total government expenditures — than it allocated to policing and defence combined. Since 2010, the proportion of people living in relative poverty who belonged to a family that included a person with disabilities had fallen. Regarding children, she said that the Act contained the Government's new approach to tackling poverty and transforming the life chances of the most disadvantaged children and families by addressing the root causes of childhood poverty.

25. **Mr. Holmes** (United Kingdom) said that, since April 2013, the Government of Scotland had invested £296 million to help disadvantaged and marginalized groups, including 200,000 pensioners and 86,000 single parents. The Scottish Welfare Fund had spent £89 million on community care grants and crisis grants for 191,000 households, including 63,000 with children. One third of households who received assistance were classed as vulnerable and had a member with physical or mental health problems. A further £23 million had been allocated to measures such as guidance on maximizing income and transitioning to new benefits and the Emergency Food Action Plan.

26. **Ms. Bridgeman** (United Kingdom) said that, under constitutional law, Parliament had unlimited powers to legislate for the overseas territories, including without their explicit consent. However, the Government believed that working in partnership with the territorial governments was the most effective way forward in addressing tax evasion. The overseas territories had agreed to provide United Kingdom law enforcement and tax agencies with full access to information on the ownership and control of companies incorporated in their territory.

27. **Ms. Delves** (United Kingdom) said that the current parliament was the most diverse in history: there were more women members of Parliament than ever before and one third of the Cabinet was composed of women. The Government was committed to continuously improving the public appointments process and had set the goal that half of new appointments should be of women. The proportion of women in the civil service had increased to 53.9 per cent in 2015, while the proportion of women on government departmental boards stood at 33 per cent, higher than on the boards of companies listed on the Financial Times Stock Exchange. The Government was working with schools and industry to inspire children to challenge stereotypes. In that regard, it had published revised school guidance on careers and an online guide for parents to help their daughters make subject and career choices independently of gender stereotypes. The Equality Act allowed for discrimination claims to be brought on more than one ground. The gender pay gap remained at 19.2 per cent, and the Government would be requiring larger employers to

publish information about bonuses for men and women as part of mandatory pay gap reporting starting in April 2017. There were plans to extend gender pay gap reporting beyond the private and voluntary sectors to include the public sector.

28. **Mr. Holmes** (United Kingdom) said that tackling gender inequality was a priority for the Government of Scotland, as illustrated by the adoption of measures to close the pay gap, eliminate discrimination on grounds of pregnancy and maternity, and remove employment tribunal fees. The Partnership for Change had been launched in June 2015 to encourage companies to achieve gender balance on their boards by 2020; 180 had joined the network thus far. Since February 2016, public authorities with as few as 20 employees, down from 150, were required to report on the gender pay gap every two years. In addition, the Government of Scotland would be tabling legislation to require gender balance on the boards of public bodies. The Fair Work Convention, which was made up of representatives of business, trade unions and the voluntary sector, supported women in the workplace. Over £600,000 had been earmarked in 2015/16 to address occupational segregation and encourage girls to consider a career in the sciences, engineering, technology or mathematics. Funding was also being provided to improve the quality and flexibility of early childhood education and increase its availability from 475 to 600 hours per year for all 3- and 4-year-olds and one quarter of 2-year-olds.

29. **Ms. Johr** (United Kingdom) said that the Public Sector Equality Duty required all public sector employers in Wales to address pay and employment differences that affected all those with protected characteristics. In addition, all public sector employers with more than 150 employees had to report annually on disparities in pay. Those that found a pay gap had to set a pay equality objective and, if gender appeared to be the reason for the gap, to design an action plan containing goals and a time frame. The Government of Wales supported the Agile Nation 2 programme on career development for women and was spearheading a programme of action to increase diversity on public sector boards.

30. **Mr. Barrell** (United Kingdom) said that the national minimum wage and the national living wage were designed to protect low-income workers from all sectors and to weigh the incentive to work and affordability for businesses against sufficiency. They were an essential part of moving to a higher wage, lower tax and lower welfare society, ensured that work was financially rewarding and reduced reliance on the benefit system. The goal was to reach a national minimum wage of 60 per cent of median earnings by 2020, as recommended by leading experts. Setting different minimum wages according to age helped protect the employment prospects of younger workers while developing their skills and experience. The budget for revenue and customs enforcement had been raised by £7 million in 2016/17, the penalty for non-compliance with the national minimum wage had been increased from 100 per cent to 200 per cent of arrears and a new post of director of labour market enforcement was to be established.

31. **Mr. Holmes** (United Kingdom) said that the Scottish Government paid the Scottish Living Wage to its staff and encouraged other employers to do so. There were currently over 500 employers accredited under the Scottish Living Wage scheme and a target of 1,000 had been set for late 2017, with additional funding of £300,000 allocated. The Procurement Reform (Scotland) Act 2014 placed an obligation on authorities engaged in procurement and contracting activities to consider how to address fair work practices as part of public procurement.

32. **Mr. Barrell** (United Kingdom) said that the Trade Union Act had introduced a requirement that at least 50 per cent of those entitled to vote must do so for a ballot on industrial action to be valid. In important public services such as the fire service or border security bodies, a strike could only be agreed to if at least 40 per cent of those eligible to vote were in favour. The Government believed that to be a way of restoring public

confidence in the democratic legitimacy of industrial action and balancing the interests of trade union members, businesses and the general public.

33. **Ms. Watkinson** (United Kingdom) said that, to achieve its target of finding employment for 1 million more persons with disabilities, the Government had maintained or increased spending on programmes such as the Access to Work scheme, which provided support and specialist equipment that went beyond the reasonable adjustments required of employers under the Equality Act 2010. The scheme had supported over 36,000 persons in remaining in or finding employment from 2014 to 2015. Forthcoming policies to increase the employment of people from ethnic minority communities by 20 per cent by 2020 would address barriers, develop tools, promote best practices and incorporate the needs of such persons into existing and planned employment, apprenticeship and training programmes. For young people, the Youth Obligation for 18-21-year-olds would help them develop skills to enable them then to progress into employment.

34. Many disability-related elements of the benefits system were still uprated by the Consumer Price Index, and the Employment and Support Allowance and Universal Credit had been maintained. Households with a member who received any of a number of such allowances were exempt from the benefits cap. The Government spent around £50 billion per year on benefits to support persons with disabilities or health conditions, with total expenditure on such persons exceeding the Organization for Economic Cooperation and Development average. Although the analysis published by the Treasury included the impact of health spending, employment support and investments in infrastructure as well as welfare spending for persons with disabilities, it did not incorporate information on disability status, making it impossible to produce a cumulative impact assessment of the relevant policies.

35. The Government had fully assessed the impact on equality of both the Welfare Reform and Work Act 2016 and the budget and could confirm that its obligations under the Public Sector Equality Duty were being met. Stakeholders had also been consulted. In respect of child poverty, the Act had introduced new measures on worklessness and educational attainment and had removed the previous income-based criteria. Focus was being put on increasing incentives to work and ensuring that people were given the skills and opportunities necessary to move into employment. It was clear from the evidence review published by the Government that education was the biggest single factor in ensuring that poor children did not become poor adults. Most benefits were now processed on time and fewer sanctions were imposed. The Government was examining the reasons for the persistently high unemployment rates among certain groups with a view to adopting improved policies.

36. **Mr. Holmes** (United Kingdom) said that schemes in Scotland to improve access to employment included modern apprenticeships, after completing which more than 90 per cent of former apprentices were still in employment six months later. An Equalities Action Plan for Modern Apprenticeships had been drawn up in 2015 with support from civil society to improve the participation of underrepresented groups, such as people from ethnic minorities, care leavers and persons with disabilities, and to address gender imbalances in subjects such as science, engineering, maths and technology. The Scottish youth employment strategy had been developed to support young people in transitioning from education into sustainable, productive employment and a number of schemes targeted certain groups, such as those who had been in care, had criminal records or had a disability or health condition, involving employers as well as the young people themselves.

37. **Ms. Ravenberg** said that the Committee was concerned by reports that older people were being abused and neglected in care homes in England and Wales. How had the relevant recommendations of the Equality and Human Rights Commission been implemented and what had their impact been? The Committee had been informed that, in

England, health care was not always affordable and accessible for vulnerable groups, such as refugees and undocumented migrants, with exemptions to charges not always properly applied. There seemed to be discrimination in access to care and the Committee would be grateful for additional information regarding steps taken to remedy that situation, especially in respect of members of the Roma, Gypsy and Traveller communities, asylum seekers, migrants and transgender people, by facilitating their registration with general practitioners and collecting and maintaining data on their health outcomes. It was also important to ensure that health-care professionals received the necessary training to be able to provide appropriate and effective care to those groups. Would the Government consider ceasing to apply charges to undocumented immigrants who did not have funds?

38. It had been reported that, despite an increase in demand for mental health services in England and Wales, funding for them had been cut, leading to long waiting times and three quarters of persons with mental health problems in the State party not receiving any help at all. Concern had also been expressed about the situation in Scotland. The Committee had received information about increasing numbers of non-natural deaths in prison facilities and shortcomings in mental health care for prisoners. What was being done to address the problem and had the Government considered adopting the Human Rights Measurement Framework developed by the Equality and Human Rights Commission? The Committee would like to learn more about the functioning of the Healthcare Safety Investigation Branch and whether its work had been evaluated. Would the Government consider expanding the Branch's remit to incorporate oversight of independent investigations into non-natural deaths of detainees?

39. The Committee had also received information to indicate that the Mental Health Act allowed children with mental health problems to be detained in police stations, as had happened to about 236 children in 2013. Would the Act be amended in order to ensure that children were able to enjoy their right to achieve the highest attainable standard of mental health? It would also like to know whether the recommendations of the House of Commons Health Committee on the availability of data on children's mental health, the prioritization of early intervention and improving outpatient services had been implemented. The delegation should provide further details on the procedures followed in Northern Ireland to ensure that timely and appropriate health care was provided to persons experiencing mental health crises in emergency departments. Finally, the Committee would like to hear how the State party planned to increase the funding for mental health services in real terms, to ensure uniform protection throughout the State.

40. **Mr. Pillay** said that the Committee would be interested to know what remedial measures were being implemented to ensure that over 1 million people did not live in absolute destitution, as had been claimed by the Joseph Rowntree Foundation, and what targeted anti-poverty policies had been implemented to support those at greatest risk, such as single parents, persons with disabilities, older persons and religious and ethnic minorities. Had the results of such policies been published?

41. The Committee would welcome further explanation of why the Life Chances Act had repealed the State's duty of accountability to meet time-bound targets on child poverty and to develop a comprehensive child poverty strategy, given that the Institute for Fiscal Studies had pointed out that the combined effect of tax and social benefit policies was expected to increase child poverty by 50 per cent, with 18.3 per cent of children likely to be living in absolute poverty by 2020. Had special measures been taken to combat child poverty in Northern Ireland, where the rate was twice as high as in the rest of the State and concerned Catholic children more than Protestant children?

42. The Special Rapporteur on adequate housing had referred to the critical situation in the State party in terms of the availability and affordability of adequate housing, waiting lists for social housing had increased and the private rental market was expensive and

poorly regulated. Evictions were a common response to tenants denouncing the poor conditions of their rental housing and reports spoke of a high number of people living in poor housing which was overcrowded, damp or cold. Had specific measures been taken to deal with the shortcomings in housing and the lack of adequate social housing units?

43. It would be useful to learn whether the State party intended to adopt immediate measures to address the high levels of homelessness, especially among disadvantaged and marginalized groups and to ensure that there were adequate places available in hostels and other shelters, to strengthen the rights of tenants in social housing and the private rental market and to provide adequate benefits to those unable to afford the increasing costs of housing.

44. **Ms. Shin** said that the Committee was disappointed to note the lack of information on Northern Ireland and would like to know why that was the case. The State party was to be commended on increasing funding for childcare under the Childcare Act 2016 but she noted with concern that it would not apply to care for children under 2 years of age. She would welcome information on how parental leave was shared between mothers and fathers and the percentage of fathers who took advantage of parental leave or flexible working hours.

45. It would be interesting to learn whether the State party had collected data on domestic and gender-based violence targeting women and girls with disabilities and if there was a special policy to protect that group. She would also like to know whether the Government had considered abolishing the rule that seriously restricted the ability of persons to bring their family members, including dependent elderly relatives, into the State party, which violated the right to family reunion. Lastly, did the Government have any plans to decriminalize abortion in Northern Ireland?

46. **Mr. De Schutter** said that reports indicated that 8.4 million households in the State party were considered to be living in a situation of food insecurity, meaning that they were unable to afford healthy diets. The obesity rate, which was the highest in the European Union, was a major cause of disease and the poorest households were becoming increasingly dependent on assistance from charities and food banks. It appeared that the Good Food Nation strategy focused mainly on agricultural production and exports. While the introduction of a sugar tax was welcome news, he would like to know whether there were specific strategies in place to ensure that all families had access to adequate diets.

47. He would also be interested to learn whether the State party had any plans for stricter regulation of the marketing of unhealthy foods to children. Although advertising for such products was prohibited during children's television programmes, many children also watched other programmes that were subject to no such restrictions. There was no definition of unhealthy lifestyles in the United Kingdom Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing and in reality food manufacturers still advertised unhealthy products widely to children.

48. **Mr. Uprimny** asked whether research findings that suggested a link between cuts to benefit payments for low-income pensioners and a rise in the death rates of people over 85 were not a sign that the Government should consider rolling back at least some austerity measures.

49. He said he would like to know what strategies the Government had put in place to address the widening gap in educational achievement between rich and poor. He would welcome a comment from the delegation on the impact of the introduction of the 16 to 19 Bursary Fund, which had replaced the Education Maintenance Allowance in England, and on the substantiated claims that growing inequality in the State party was undermining its people's enjoyment of such social rights as the right to education. He wished to know whether universities would continue to charge tuition fees and, if so, what steps had been

taken to combat inequality in access to higher education. He also wondered whether the State party intended to evaluate the impact of its actions on the enjoyment of the right to education in other countries, where its development assistance funds often subsidized the operations of for-profit schools operated by such companies as Bridge International Academies.

50. In connection with cultural rights, he wished to know what steps had been taken to promote the development of the Irish language in Northern Ireland and what the authorities in Scotland had done to promote the right of children and other young people to take part in cultural life.

51. **The Chair** asked whether the Government was of the view that the cultures of the many minority groups in the State party were incompatible with its mainstream culture and that that incompatibility had prevented the full integration of those groups.

52. **Mr. Kedzia** said that he would appreciate further information about the Government's action plan to implement the Guiding Principles on Business and Human Rights. In particular, he wondered how the corporate sector had reacted to official efforts to ensure that the Principles were respected and whether the execution of the action plan entailed the development of an accountability mechanism. The delegation should comment on statements in the plan that seemed to suggest that the Government of the United Kingdom viewed the regulation of the overseas conduct of companies domiciled in its territory as an option it could exercise when other interests did not discourage it from doing so, rather than as a duty.

53. **Mr. Chen** said that he would welcome a further explanation of why the State party did not intend to develop a national human rights action plan covering the United Kingdom, its overseas territories and the Crown dependencies.

54. **Mr. De Schutter** said that he would appreciate more information about the tax agreement that the Government had reached with a number of the overseas territories in December 2015. He asked why greater efforts were not being made to combat the tax evasion facilitated by offshore financial centres under its jurisdiction.

55. **Ms. Bras Gomes** said that she would appreciate an answer to her question about how the State party reconciled austerity-driven budget cuts with its obligation to progressively realize the right to social security. She also wished to know exactly what criteria had been used to set the minimum wage, whether it was high enough to provide workers and their families with an adequate standard of living and whether a mechanism had been established to study the impact of the minimum wage on the wage gap between men and women and the proportion of women in low-paid work. Lastly, she would welcome additional evidence of the accuracy of the Government's assertions that the Trade Union Bill did not constitute an infringement of the right to organize.

56. **Mr. Martynov** said that he would appreciate a comment from the delegation on how the recent introduction of substantial fees for submitting claims to the State party's employment tribunals related to its obligations under the Covenant.

57. **Mr. Schrijver** said that the Head of Delegation, in explaining that the United Kingdom had a strong legal system and that very few complaints against the United Kingdom were submitted at the international level, had in fact been making excellent arguments not against but for ratifying the Optional Protocol to the Covenant. He therefore urged the State party to reconsider its position.

58. He would welcome an explanation from the delegation of the Government's view of its responsibility for preventing human rights violations in such countries as Yemen, which was currently the target of a deadly military intervention led by Saudi Arabian forces armed in part by exporters whose main offices were in the United Kingdom. Lastly, he would

appreciate a comment on the rights to food, health care and accommodation, as they were enjoyed by asylum seekers in England in particular.

*The meeting rose at 6 p.m.*